

BENJAMIN F. MCGRAW.

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JANUARY 27, 1904.—Committed to the Committee of the Whole House and ordered to be printed.

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Mr. GIBSON, from the Committee on Invalid Pensions, submitted the following

REPORT.

[To accompany H. R. 8733.]

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw, submit the following report:

This bill proposes to increase the pension of the officer named therein from \$20 to \$50 per month.

It appears from the records of the War Department that Benjamin F. McGraw, who is now 74 years of age, served as second and first lieutenant of Company B and as captain of Company A, First District of Columbia Volunteers, from August 10, 1861, to September 12, 1865, when honorably discharged.

He is now pensioned under the general law at \$20 per month on account of a left inguinal hernia and incomplete fistula in ano.

A claim for increase of pension was rejected in March, 1898, upon the ground that his disabilities of accepted service origin did not warrant a higher rating, and this rejection was affirmed by Assistant Secretary Davis, under date of October 31, 1899, upon the ground that, while it was shown that the officer was totally disabled for the performance of manual labor, it was not shown, however, that his condition was the result of the pensioned causes, but was shown to be due to debility from age, rheumatism, and malaria.

The officer filed in connection with his claim for increase of pension medical testimony showing that he was suffering from the left hernia, fistula in ano, and from general debility; that, while he was able to walk about, he was unable to perform manual labor, etc.

When last examined, in December, 1897, upon which examination the claim for increase of pension was rejected, the board of surgeons rated him \$10 for the hernia and \$4 for the fistula, and the board stated further that he walked lame, stiff, and somewhat stooping, and that there was enlargement and distortion of the first and second distal

joints of the little finger of the left hand, due to arthritic deposits; that there was a well-marked pterygium of the right eye, and that the infirmity of age was also a leading factor in making disability total.

The testimony of Doctor Cyrus, filed with your committee, sets forth that the beneficiary is a physical wreck, unfit to care for himself, and unable to support himself, physically or mentally, and Mr. Davis, who introduced the bill, has stated that he is personally acquainted with the officer, that he is a most worthy veteran of the civil war, and is most deserving and needy.

The honorable service of this officer for over four years, his age, destitution, and physical infirmities entitle him to the consideration of Congress; hence an increase of his pension from \$20 to \$40 per month seems justified.

The passage of the bill is therefore recommended when the same shall have been amended as follows:

In line 5 strike out the word "conditions" and insert in lieu thereof the word "provisions."

In line 6, before the word "captain," insert the word "late."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

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